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TWO CENTS.

## FIGHTING NOT SEVERE MR. WYNNE APPOINTED

Bentsiaputze.

LOSSES WERE SLIGHT CONFIDENCE IN

RUSSIANS MOVING SOUTH WITH HIS RECORD AS FIRST ASSIST-GREAT CAUTION.

Depends Upon Circumstances-Joy in St. Petersburg.

ST. PETERSBURG, October 10 .- The mystification of the last ten days regarding the war situation is cleared up by the knowledge that the Russian army is taking the offensive and explains the puzzling Mukden dispatch of the Associated Press of October 6, reading: "Something unusual is in the wind. A great bustle is now noticeable. The streets are thronged with hurrying crowds and innumerable carts and pack mules."

A dispatch to the Bourse Gazette from Mukden says:

"The general situation at the seat of war has materially changed. The Japanese main army is retiring southward. Its right wing has gone thirty miles southward, evacuating Sianshan, Sinangai, Saimatsze, Fenshui Pass and the neighborhood of Kwandiansian. The Japanese are thus giving up not only the positions which they occupied after the battle of Liaoyang, but places they had previously taken."

The capture of Bentsiaputze, which was strongly fortified, and where it was reported Gen. Kuroki commanded in person, is officially confirmed. The fighting, however, was not severe, the Japanese retiring on finding themselves outflanked. The Russian losses were only twenty-five killed or wounded, including an officer.

Russians Advance With Caution.

Gen. Kuropatkin is in the field personally directing the forward movements of the army, which, it is understood, is divided into two strong columns, moving on each side of the railroad, whence they will draw their supplies, their flanks being assured by no less than 150 squadrons of Cossacks. The Russians are operating along a front of between forty and forty-five miles, extending from Kaoutou Pass to Bentsiaputze or the east and across the Hun river to the left bank of the Liao river on the west. They are taking every precaution against possible counter-attacks, throwing up entrenchments as they advance southward. Field Marshal Oyama, however, has not his outer positions. The evacuation of at this time. Legal officials of the govern-Bentsiaputze left the flank of the Japanese position at the Yentai mines unprotected, and news of the abandonment of the mines is therefore hourly expected.

The Japanese appear to be concentrating their forces in the fortifications formerly cupied by the Russians on the right bank of the Taitse river, which are exceedingly strong, and they have an equally good de-

fense north and south. The Japanese retired from Bentslaputze lmost without a struggle, fearing that Gen. Mitschenko's Cossacks would surround the position and cut them off. Bentslaputze is of the highest importance, com-

manding the roads from Mukden and Fushun to Liaoyang and Bensihu.

Engagement Near Mukden. Private advices from Mukden, just received, indicate that the artillery is already at work. An engagement is reported to have occurred yesterday on the Russian right flank fourteen miles southwest of

Mukden. On the western front yesterday a party of Caucasian scouts, while reconnoitering, fell into an ambush of two companies of Japanese infantry, who fired a volley at the scouts. Before the latter could withdraw they lost ten wounded, including a lieutenant, Kousoff, and one man killed. Such news of the Russian movements as may be given out without compromising the advance is likely to be telegraphed by Gen. Kuropatkin each evening, after the day's work in the field is over.

#### To Take Great Care.

A high officer of the general staff informed the Associated Press that Kuropatkin is prepared to advance with great care, but when the main collision will occur will depend on circumstances, the movements of great bodies of men being slow operations. Heavy fighting is hardly kely before a week at the earliest.
"Only six miles separate the advance lines," said the officer referred to, "and an advance or counter-advance might precipitate a preliminary artillery exgagement at any moment. It is now evident that Field Marshal

Oyama, aware that Kuropatkin is pre-paring to strike, instead of extending himself for the big flanking movement east, so much talked of, has recognized the necessity of meeting the Russian ad-vance by fortifying his positions north of Liao Yang. The interval between the eventual collision will doubtless be utilized by both sides in feeling out their re-spective strength and dispositions and in ctive skirmishing on the flanks, of which the daring march of the Cossacks across the Shakhe river, almost to the Yental

mines, is an example.

Not until the combined movements of Kuropatkin's army are in full swing southward will it be seen whether Oyama intends to contest the present advance or fall back on the fortified position north of Liao Yang, where he would reverse the situation hith-erto, as the Japanese would for the first time enjoy the advantage of fighting be-

### Strength of the Armies.

According to the estimates of the war office. Oyama's total strength is about 250,000 men, of which 150,000 are posted between the Hun river to the west and Bentsiaputze eastward, the remainder being held in reserve at Liaoyang. Kuropatkin disposes of nine corps, giving him perhaps

a slight superiority in numbers. Lieutenant General Grippenberg, who is to command the second Manchurian army, will take with him to the front a large pertion of the troops of the Vilna military dis-trict, over which he has had the command for three years. Thus the bulk of the sec-ond army will be composed of men and officers of whom the general has intimate knowledge. The 2d, 3d, 4th, and 19th corps are included in the district. The mobiliza-tion is already quietly proceeding.

With Kuropatkin acting on the offensive reinforcements will be pushed forward with all possible speed. The first echelons of the 8th corps are on their way to the front, and it is expected to start one corps of the Vilna district within a fortnight. The emperor will bid the troops farewell.

It is now apparent that the Russians propose to make a winter campaign as they did during the Russo-Turkish war.

### Joy Throughout Russia.

The fermal announcement that Gen. Kuropatkin is at last strong enough to assume the offensive, together with unofficial reports that offensive movements against the three armies of Field Marshal Oyama have been progressing since October 4 has sent a thrill of joy throughout Russia. The (Continued on Eighth Page.)

According to information which has before he became convinced that some of the affairs of the department were not being continued on Eighth Page.)

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Japanese Soon to Retire From Named as Postmaster General by President.

ANT SATISFACTORY.

When the Supreme Contest Will Come | Fourth Newspaper Man to Head the Department - Sketch of His Career-Many Congratulations.

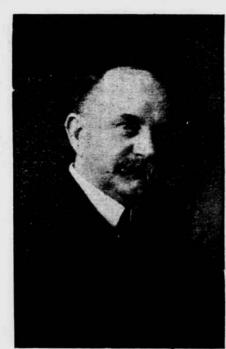
> Formal announcement was made early this morning at the White House of the appointment by the President of Robert J. Wynne as Postmaster General to succeed the late Henry C. Payne.

The announcement was not unexpected, as it was known to have been under con sideration by the President since Friday. Mr. Wynne himself has probably been aware for several days of the honor to be conferred upon him.

Although the appointment is temporary in its nature, Mr. Wynne will serve as Postmaster General for two or three months, and possibly six months or more. It is well understood that George B. Cortelyou is to be Postmaster General in the event of the election of President Roosevelt. As the election is not doubted by any one connected with the administration, all arrangemens have been made with a view to Mr. Cortelyou entering the cabinet within a reasonably short time, and remaining there as Postmaster General for an indefinite period. It is believed, however, that he will not care to begin the duties of the office before the 1st of January, as he will desire a rest after the November election. It is not improbable that the President will urge him to go to Europe for a long rest, and that he will not be prepared to take up the duties of the office until the new administration comes in, March 4 next. Should this prove probable Mr. Wynne may be Postmaster General for the next five or six

Confidence in Mr. Wynne.

The President has made the appointment of Mr. Wynne for numerous reasons. The first one was that he desired a competent head to the department to keep watch over the immense business. The next was that he had the greatest confidence in Mr. Wynne and his ability to run the department with complete satisfaction. The third was that he wished to compliment Mr. Wynne upon his able administration of the office of first assistant postmaster general and knew no better way to do so.
So far as the law was concerned, was no necessity to make an appointment discoveries. After a cursory



Mr. Robert J. Wynne.

ment informed the President several days ago that the section of the law referring to temporary appointments being for thirty days only applied during a session of the Senate and not while the Senate was in recess, as in this case. The law, the President was told, contemplated the necessity of a permanent appointment within thirty days while the Senate was in session. Senator Knox of Pennsylvania, until recently Attorney General, so informed the President, along with others. Therefore, the vacancy in the department could have remained unfilled for whatever time the President desired and Mr. Wynne could have continued as acting head of the department, although holding the office of first assistant postmaster general.

The probability is that the President will not make an appointment of a first assistant postmaster general and will leave the duties of the office to be looked after by Mr. Wynne, who will again fill the office upon the entrance of Mr. Cortelyon as head of the department. Mr. Wynne will take the oath of office so as to enter upon the duties of the office without delay. He will attend the first

cabinet meeting at the White House tomorrow. By appointment Mr. Wynne called at the White House at 1:30 p.m. He then received from the President himself formal notification of his appointment as Postmaster Gen-

eral. He was a guest of the President and Mrs. Roosevelt at luncheon. Suggested by Senator Platt.

Mr. Wynne was appointed first assistant postmaster general on April 17, 1902. For nearly a quarter of a century he had been a Washington newspaper correspondent, serving at various times some of the most important newspapers in the country. At the time of his appointment he was the Washington correspondent of the New York Press. His appointment as first assistant was suggested and practically decided upon at a dinner given by the late Senator Marcus A. Hanna to the members of the Gridiron Club. Postmaster General Payne and Senator Orville H. Platt of Connecticut were discussing the matter of the appointment during the dinner. Mr. Payne asked Senator Platt whether he had any sugges-

tions to make on the subject.
"I think," the senator replied, "that you ought to select some first-class newspaper man for that position-a man who is thoroughly honest and trustworthy, who will give an efficient administration to the of-

They cast about the banquet room for such a man. Senator Platt said finally: "What's the matter with the man sitting at the right of Hanna?" The 'man' was Mr. Wynne, who at that time was president of the Gridiron Club. His appointment was suggested to President Roosevelt. He approved heartily of personnel.

the suggestion, sent for Mr. Wynne and tendered to him the office. Started the Investigation. Mr. Wynne had not been in the office of



PUZZLE PICTURE. WHAT FRIGHTENS THE LADY?

### DEMOCRATIC SUCCESS

ducted honestly. Before he had entered official life he had heard, as a newspaper man, rumors that all in the department was not as it should be, but the rumors were intangible and ill-defined. Quietly, EX-SENATOR J. K. JONES SAYS OUTLOOK IS PROMISING.

he set about to determine for himself what foundation there was for the charges. In-

vestigation convinced him that rascality was rampant in the department. He obtained definite information bearing upon the matter. This he laid before Postmas-

ter General Payne and the President. He was so positive of the accuracy of the in-

formation that he insisted that an investi-

gation should be made, at least of his own

bureau, as it was there he had made his

President and Mr. Payne decided to act

upon Mr. Wynne's recommendation and or-der an investigation. The result of that

inquiry now is a matter of record. It has passed from the hands of the department

officials and is before the courts for ad-

The first Postmaster General, Benjamin

and Charles Emory Smith, who successive-ly held the office, were famed for their con-

Record as First Assistant.

Mr. Wynne's administration of the office

been characterized by care for every de-

was entrusted, and during the investiga-

was one of the leading spirits in the prose-

cution of the parties who were afterward

to in the appointment made today to a

seat in the Cabinet, an honor coming to

Congratulations have all day been pour-

formal call by all the employes of the de-

Sketch of His Career.

the public schools. He removed to Phila-

delphia and learned telegraphy, working in

the gold and stock board, eventually becom-

ing chief operator of the Pacific and Atlan-

tic Telegraph Company. After living eight years in Philadelphia Mr. Wynne came to Washington. His first newspaper work was

on the Cincinnati Gazette under General Henry V. Boynton, who trained him as a

Washington correspondent. He wrote for

the old Gazette and the Cincinnati Commer-cial Gazette until 1891, and he was appoint-

ed private secretary to Secretary of the Treasury Charles Fos.er of Ohio. On the

election of President Cleveland Mr. Wynne

returned to journalism as a correspondent of the Cincinnati Tribune. His letters and dispatches on national politics, the tariff and the finance obtained for him recognition and exclusive engagement on the New York Press an ultra-protection and exclusive engagement.

York Press, an ultra-protection and gold standard paper. Mr. Wynne has been president of the Gridiron Club and a mem-

ber of the Loyal Legion and the Army and Navy Club. His father served in the Mexi-

can and civil wars. Mr. Wynne's oldest son is a captain in the Marine Corps and

has served with distinction in Cuba, the

To Protect Our Trademarks.

All details have been completed for put-

ting into effect October 23 the trademark

regulations which the Chinese government

has adopted at the instance of the United

States. The same regulations will apply as

to other countries and the protection of

American trademarks is assured in the Chi-

ing to conclusion an agreement for the pro-

tection of American copyrights in China under parctically the same conditions that

May Attend Army Medical School.

First Lieut. William Armistead Gills, as-

sistant surgeon, Virginia Volunteers, has

been authorized by the President to attend

and pursue a regular course of instruction at the Army Medical School in this city.

Proposed Laundry in the Canal Zone.

Bids will be opened in the office of the

isthmian canal commission November 1 for

the erection of a laundry plant on the isthmus at the Central Hospital at Ancon capable for caring for 500 patients and 300

Secretary Morton Expected Tomorrow.

Secretary Morton telegraphed Mr. Nord-

ese empire. Minister Conger is also push-

Philippines and China.

prevail in other countries.

partment who are in the local offices.

comparatively few.

nection with that profession. Mr. Wynne

No Disaffection in the Ranks-Believes Bryan and Hearst Are Both Loyally Supporting Parker.

Ex-Senator James K. Joses, former chairman of the democratic national committee, was in town a little while soday. Mr. Jones is taking an active interest in the democratic campaign and returns tonight to New York city.

Franklin, was directly connected with newspaper work, and both Frank Hatton "The outlook for democratic success is highly promising," said Mr. Jones to a Star reporter today, "and constantly improving I have recently been in correspondence with makes the fourth newspaper man to hold democrats in many sections of the country with whom I have had political relations in the past and I have addressed my letters principally to men affiliated with what is of first assistant postmaster general has commonly called the Bryan interest. The object of the correspondence was to detertail of the vast machinery with which he mine the truth of the statement so often repeated that there is disaffection among

democrats with the national ticket. No Disaffection Among Demcorats.

proved guilty of conspiracy and fraud "Answers to my letters have been coming He has been loked upon as a highly effiin and I am prepared to say that there are cient official, who declined to allow small no evidences whatever of disaffection matters in his division to pass his desk unamong democrats, but on the contrary, the noticed and whose insistence upon a personal acquaintance with every part of the work of his office was the basis of his sucmost enthusiastic and harmonious support of the ticket. cess. That he found and retained the confidence of the President is amply testified

"I am personally sure that Mr. Bryan and Mr. Hearst are loyally supporting Judge Parker and are urging their friends to do likewise. The opposition can not count upon democratic disaffection in these

ing into his office, and every prominent of-ficial of the department who is in the city "I am sure the democrats will carry New York on the state ticket and I believe Judge Parker will have New York's electoral vote. called to offer personal congratulations. It is expected that this informal recognition The reports from Indiana are more en-couraging than I expected earlier in the of the appointment will be followed by a campaign and are very favorable. The same may be said of Connecticut, and on the whole I think the outlook is satisfac-Mr. Wynne was born in New York city in November, 1852, and was there educated in

### WISCONSIN'S VOTE.

The Republican National Ticket Was Never Imperiled.

Mr. Florence E. Sullivan, correspondent of the Chicago Chronicle, has returned to town after a trip through Wisconsin, in the course of which he thoroughly investigated the political situation in that state. To a Star reporter this afternoon Mr. Sullivan said:

"The result in Wisconsin, so far as the republican national ticket is concerned, was never imperiled by the feud between the republican factions. While the refusal of the supreme court to take jurisdiction in the ballot controversy, thereby giving La Follette first place on the official ballot, greatly simplifies the situation from the standpoint of the managers of the national campaign, any other decision would have been equally satisfac-

"The President simply could not lose the state. Aside from the consideration that the farmer and by less man of Wis-consin are enjoying that of unprece-dented prosperity, when always operates to the advantage of the party in power, the people regard the President with feelings akin to affection for his course in the anthracite coal strike two years ago. They were threatened by a great calamity through the continuance of that strike, and they will not forget that the President, by his firmness and decision, averted consequences which they do not like to contemplate even now. One of the remarkable aspects of the campaign is the complete loyalty of all classes of voters to Roosevelt.

"It is not improbable that he will carry

ers to Roosevelt.

"It is not improbable that he will carry the state by a larger majority than Mc-Kinley received four years ago. Parker is hardly known to the people, and the democratic committee has taken few steps to familiarize them with the democratic candidate for President. The truth appears to be that the national democratic committee has failed woefully in the performance of the great task which it undertook last summer.

"The same is true, though perhaps in a lesser sense, of the state of Indiana. President Roosevelt will carry Indiana by a larger majority than McKinley received in 1900."

TO IMPROVE THE WHANGPOO. French Interests Standing in the Way

of the Proposition.

merchants of Shanghai to share in the expense of the improvement of the Whangpoo river. The Chinese viceroy has proposed that the Chinese government bear all the expense of the improvement, but that the work may be carried to a speedy conclusion the foreign merchants are desirous of sharing in the expense. Were this permitted they would then be in a position to control to some extent the project and to insure its efficient execution.

The reason for France's opposition is said to be that French priests own considerable property along the banks of the river and do not desire to be taxed for the river improvement, not having the commercial tr-terest in the project that the merchants possess. The negotiations have been in progress for a long time and are still pend-

### CHINESE EXCLUSION.

Foundations for a New Treaty Now Being Laid.

Secretary Hay and Sir Chentung Liang Cheng have at last begun to lay the foundation for a new Chinese exclusion treaty and it is expected that the convention will be ready for submission to the Senate at the approaching session in December next. The treaty will, it is understood, replace all existing law on the subject and under ordinary conditions that fact might be expected to arouse antagonism on the part of the House of Representatives, which will thus be deprived of a share in the framing of exclusion measures.

However, it is believed that a disclosure of the purpose of the new treaty will reconcile the House to the adoption of the method proposed to effect the exclusion of undesirable Chinese and will assure the approval of the treaty by the Senate. It is the intention to continue in full force in the treaty the principle of the exclusion of Chinese coolies and the Chinese government itself is perfectly willing that that should be done. But the treaty will contain pro-visions regarded as much needed and earnestly sought for by the Chinese govern-ment for many years, looking to a more considerate, liberal and kindly treatment of the higher class of Chinese seeking to enter our ports. There have been constant complaints of indignities heaped upon Chinese merchants and scholars and even highclass officials by the harsh application of the existing exclusion laws, and the col lectors of customs and immigration officials have uniformly answered criticisms on that point by the declaration that they were simply enforcing the law which it is now the purpose to qualify by the new conven-

### THE SLOCUM DISASTER.

Report of the Investigating Commission Will Soon Be Published.

President Roosevelt has in his hands the report of the General Slocum investigating commission, and, it is believed, will within a few days make parts or all of it public. The report is the work of four months of the commission appointed by former Secretary Cortelyou of the Department of Commerce and Labor, who, immediately after the disaster on the East river, New York, which caused the loss of a thousand lives, named it.

Those comprising this body were Lawrence O. Murray, assistant secretary of commerce and labor; Herbert K. Smith. deputy commissioner of corporations; Geo. Uhler, supervising inspector general of the steamboat inspection service; Brig. Gen. John M. Wilson, U. S. A., retired, and Cameron McR. Winslow, U. S. N. By this commission a great amount of testimony was taken covering every point of the disaster, and from it was adduced important revelations.

Resides a finding of the facts of the disaster.

Besides a finding of the facts of the disof what action ought to be taken, in the opinion of the commission, regarding the accident, the report will contain recommendations for the enactment of laws further regulating steamboat service and throwing about such vessels at the Commission. throwing about such vessels as the General Slocum safeguards of the lives of their

#### Personal Mention. Mr. A. Lisner, proprietor of the Palais

Royal, has just returned from an extensive European tour. While abroad he visled London and Paris, and traveled through Germany, Italy and Switzerland. Capt, James B. Adams, chief clerk of the bureau of forestry, left Saturday night for

three weeks.

Rear Admiral D. B. Harmony, U. S. N., retired, has returned to his home, 1623 Massachusetts avenue, after spending several weeks at a hospital. Admiral Harmony has been ill since June last, but is now somewhat improved.

St. Louis, to view the sights of the fair for

Fearful Head-On Railway Method of Procedure in Wag-Train Collision Today

ON MISSOURI PACIFIC THE INQUIRIES MADE

WORLD'S FAIR EXCURSION FLYER DEFINITION OF "CREDITOR" IN CRASHES INTO A FREIGHT.

With Persons for St. Louis -Occurred in Narrow Cut.

KANSAS CITY, Mo., October 10 .- Twentyseven persons were killed and thirty injured, some of them fatally, in a head-end collision today two miles and a half east | nection with the details of the litigation. A of Warrensburg, Mo., between the second | number of attorneys have inquired whether section of a Missouri Pacific passenger Mr. Bradley proposes to have the schedules train, which left Wichita, Kansas, last printed, and they expressed themselves as night for St. Louis with world's fair excur- anxious that this be done. They were inaionists, and a heavy westbound extra formed by Mr. Bradley that he could find fieight train. The collision occurred in no authority for printing the extensive lists, what is called "Dead Man's Bend." Both engineers and both firemen saw the danger and jumped. The forward coach of the passenger train telescoped and the remain-

der of both trains was badly damaged. According to the local office of the Missouri Pacific the engineer of the freight was to blame for the wreck, having forgotten his orders. He had been ordered to wait on a siding at Knobnoster, just east of attorneys to secure such authority in order Warrensburg, but neglected to do so. The

trains met at a sharp curve.

Travel to the world's fair has been so heavy that all roads recently have been heavy that all roads recently have been sending out many of their trains in two or more sections. The train wrecked today was made up at Wichita Sunday night and, as is the custom, it picked up additional coaches along the line. The last coach taken up was at Pleasant Hill, Mo., at about 4 o'clock this morning. All of the coaches were crowded. Impact Was Terrific.

Both trains were running at a good rate of speed when the wreck occurred. Dawn had hardly begun to break and neither crew was aware of the approach of the other train until they were almost upon each other. The impact of the collision was terrific. The sleeping passengers were hurled in every direction. The most of the killed

were in the forward coach, which was well The spot where the wreck occurred was in a narrow cut and this fact, with the dark-ness, added to the difficulty of the situation. The greatest confusion ensued after the first lull following the crash, and the groans of the injured were added to the escaping steam of the wrecked locomotives.

some time before word was sent back to Warrensburg and news of the wreck was spread. Relief trains carrying physicians were sent out as quickly as possible from surrounding towns and everything possible was done to aid the injured. It was some time before the dead and injured could be extricated from the de-bris. The dead were carried up the track and laid in rows in an open space until the relief train arrived, while the injured were cared for as well as could be. was a long time before the names of the victims could be secured and the nature of the injuries was known.

### The Killed.

The dead: Mrs. W. J. Darst and son Gilbert, aged twelve, Dexter, Kan.; instantly killed. W. H. Allen and two sons, Bird and Francis, Pittsburg, Kan. Dorothy Greer, Pennsboro', Mo. L. F. Bures, Cal. Reed, Gertrude Loud, Dicy Ream, all of Bronaugh, Mo. Addle Kane, Pittsburg, Kan. G. A. Webber, Fountain, Pa. Clarence Herring, —, Kan. — Sidel, head brakeman of freight; killed instantly. Nellie and Dolly Sullivan, Cherryvale, Kan. Hattie Kelfey, Oxford, Kan. M. Lindsay, Oxford, Kan. Dosia Gregg, Bronaugh, Mo. Dr. H. L. McIlheney, Springman, Kan.

The Injured. The injured: D. D. Hale, Dexter, Kan., thigh broken; Mrs. Hale, wife of above, leg and body injured, serious; Amelia England, Dexter, limbs badly crushed; L. C. Dressel, Eatonville, Kan., serious; E. L. Barnes, conductor passenger train, slightly; E. D. Rossen, engineer passenger train, badly scalded; — Hoten, engineer freight train, serious; Perry M. Allen, Coffeyville, Kan., legs badly crushed; Blit Tottman, Cedarville, Kan., cut about body, injured internally; Amelia Trautwine, St. Louis; E. S. Nicholson, Dexter, Kan., hurt about beed. Buth Stawart Fourman Ladgeard head; Ruth Stewart Fourman, Independence, Kan., serious; W. E. Fourman, Independence, serious; William J. Darst, Dexter, Kan., slightly; Miss N. J. Wood, Dexedly, Adrian, Kan., sedly, Adrian, serious.

Freight Fails to Take Siding.

The freight train was an extra. Its crew had, according to the story of the conductor of this train, been instructed to take a siding and let the passenger train pass. The first section of the passenger train had gone by when the freight pulled out. The passenger train bore no signal of a second section to come, he asserts, and he had no reason to believe that another train was

The scene of the wreck was or, the down grade, on either side of which there was a steep rise. Both trains had put on extra steam to carry them up the opposite hill, and when they met at the curve at the lowest point they were running at a terrific

The passenger train was made up of three coaches and a Pullman, with no baggage dated in 1888, of part of "Woodley" to him, car, the front coach being next to the there were no developments today at the tender. The freight train was a heavy one. When the trains met the heavy train pushed the passenger engine back into the first coach. The tender of the passenger engine literally cut the coach in two in the center and never stopped until it had plowed itself half way through the car and its passengers, killing those in the forward end instantly and mangling all within reach in a most horrible manner.

Fearful Results of Impact. Half a dozen who were not killed outright were so terribly injured that they died before they could be removed from the debris. Many of the dead were almost unrecognizable.

eral cases, and together with baggage and

aged, seats being torn up and windows smashed, but in these cars the passengers smashed, but in these cars the passengers fared better, all except a few escaping with slight injuries. The Pullman remained upright and none of its occupants were hurt beyond sustaining a shakeup.

So tightly were the tender of the passenger engine and the first coach wedged

together that it will take unusual efforts to separate them.

The train crews, with the exception of Brakeman Sidel, escaped miraculously, the engineers and firemen sustaining only

# 27 KILLED IN A WRECK RULINGS BY REFEREE

Of all the newspaper

readers of Washington are

reached by the classified advertisements in The

Star.

gaman Case.

BANKRUPTCY PROCEEDINGS.

Second Section of Passenger Loaded Riggs Bank Denies It Holds Securities -Proceedings Today in the Equity Court.

> Mr. Andrew Y. Bradley, the referee in bankruptcy in the Waggaman case, has been besieged by many inquirers in con-It is stated that many inquiries have also been made as to whether it will be necessary for attorneys-at-law to present "letters of attorney" from their clients whose claims are entered on the schedules. The "letters of attorney" are said to be some-

thing on the order of powers of attorney. The reason given for these inquiries is whether or not it will be necessary for the to enable them to vote for the election of

trustees, which will take place at the first meeting of the Waggaman creditors.

When asked about these matters by a Star reporter today Mr. Bradley stated he had been informed that it had been the practice for referees to allow attorneys to vote without such authority. The law of vote without such authority. The law of 1898, section 56 a, provides, he said, "that creditors shall pass upon matters submitted to them at their meetings by a majority vote in number and amount of claims of all creditors whose claims have been allowed and are present, except as herein

This section, Mr. radley added, provides that the exception refers to secured creditors, who are not allowed to vote for trustee, except in so far as the amount of their claims exceeds the value of securities held by these Word Creditor Defined.

The definition of the word "creditor," as ontained in chapter 1 (9), is as follows: "Creditor shall include any one who owns demand or claim provable in bankruptcy, and may include his duly authorized agent, attorney or proxy."

Mr. Bradley stated further that all the authorities he had examined on this subject are to the effect that the latter part of the last section does not apply to attorneys the last section does not apply to attorneys representing their clients at the first meeting of the creditors for the purpose of voting.

"And I shall therefore require attorneys," he said, "to produce either a general or a special letter of attorney as prescribed by the forms provided by the Supreme Court of the United States.

"The text books cite cases, one of which is of quite recent date, to the effect that were it not for the forms prescribed by the Supreme Court in such cases, and for the precedents contained in the reports, the court would hold that an attorney-at-law had the implied authority to vote for his client at the first meeting of creditors, but, in view of the fact that these forms have been prescribed and the authorities have decided that these letters of attorney are necessary, the judge who decided the It is on those authorities I propose to base my action."

Procedings in Equity Court.

The equity cause of R. Irving Bowle against Cecilia M. Coughlin, Samuel E. Allen, jr., Thomas E. Waggaman and John W. Pilling being reached today in Equity Court, No. 1, for hearing on the motion for a rule to show cause why Waggaman and Pilling should not be removed as trustees of sublot 71, square 24, this city, Justice Anderson ordered that Mr. Waggaman be removed as trustee. William E. Ambrose was appointed trustee in his stead and it was directed that Mr. Pilling continue as the other trustee. The trustees, after giving bond in the sum of \$3,000, are to sell the real estate in accordance

with the terms of the deed of trust. The order removing Mr. Waggaman as ounsel.

This is said to be the first order for the sale of property in which Mr. Waggaman was interested since the announcement of his failure. In the bill of complaint, which was filed by Charles H. Merillat, Wm. E. Ambrose and Joseph K. Roberts, as attorreys for Mr. Bowie, it was alleged that the complainant had invested \$1,000 through ter, Kan., slightly; Fred Barnes, Oxford, Kan., scalded, arm hurt; Elizabeth Cowedley, Adrian, Kan., serious; E. T. Cowed and the complainant had invested elizabeth mr. Waggaman and that it was placed on a note given by Cecelia Coughlin to Samuel Allen, the note being secured by a deed of trust on lot 71, square 24, situated near 24th and N streets.

Thomas E. Waggaman and John W. Pill-

ing were named as trustees under the deed of trust. It was averred that Cecilia Coughlin was the record owner of the property but that the real owner was one or both of the trustees, and that the complainant's money had been used by Mr. Waggaman unknown to the complainant, for the purpose of speculating in real estate, whereas he complainant had regarded him solely as an agent having no personal interest :n the properties on which the money was loaned.

Belief That Assets Are Overestimated. With the exception of an order of the court removing him as trustee in connection with certain property in square 24, and the filing of a deed of assignment, dated in 1888, of part of "Woodley" to him, City Hall in the case of Thomas E. Waggaman. Members of the bar interested in the matter continue to assert that the value of the assets has been largely overstated. Nothing of importance is expected to occur prior to the meeting of the unsecured creditors, the 21st instant, for the purpose of electing a trustee.

Default in Payment Alleged.

Default occurred in payment of the interest, it was charged, and it was asked that the property be sold and any surplus turned over to the court for further direction as to disposition, if there should be a surplus, and that if there should be a deficiency Arms and legs were dismembered in sev- that all the defendants be held for the same. Mr. Pilling, in his answer, denied pieces of wreckage were tumbled together into a confused mass of bleeding human form.

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The next two coaches

signed today the property will be sold and questions of liability as to deficiencies or disposition of the surplus left until it is learned how much is realized. Mr. Waggaman, in his answer, stated that one of the houses in the row on which the mort-gage exists had been sold for \$2,250, and that he believed the property worth the total incumbrance of \$1,500, besides interest and costs.

Placed on Record.

An assignment by Henry P. Waggaman to Thomas E. Waggaman of an undivided one-